

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

MDL NO. 16-2738 (FLW) (LHG)

***THIS DOCUMENT
RELATES TO ALL CASES***

CERTIFICATION OF P. LEIGH O'DELL, ESQ.

P. Leigh O'Dell, Esq., hereby certifies as follows:

1. I am an attorney at law and member of the law firm of Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. I was appointed as Plaintiffs' Co-Lead Counsel to represent all Plaintiffs in the above-captioned matter.

2. I submit this Certification based on personal knowledge in support of the Plaintiffs' Steering Committee's Memorandum of Law in Response and Opposition to Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc.'s Motion to Exclude Plaintiffs' Experts' Opinions Regarding Alleged Heavy Metals and Fragrances in Johnson's Baby Powder and Shower to Shower.

3. Attached hereto as Exhibit 1 is a true and correct copy of the Expert Report of Laura Plunkett, PhD, DABT dated November 16, 2018.

4. Attached hereto as Exhibit 2 is a true and correct copy of *IARC Monographs on Arsenic, Metals, Fibres, and Dusts: Volume 100 C, A Review of Human Carcinogens* (2012) Introduction and Preamble.

5. Attached hereto as Exhibit 3 is a true and correct copy of *IARC Monographs on Arsenic, Metals, Fibres, and Dusts: Volume 100 C, A Review of Human Carcinogens* (2012) Nickel.

6. Attached hereto as Exhibit 4 is a true and correct copy of *IARC Monographs on Arsenic, Metals, Fibres, and Dusts: Volume 100 C, A Review of Human Carcinogens* (2012) Chromium.

7. Attached hereto as Exhibit 5 is a true and correct copy of *IARC Monograph on Cobalt in Hard Metals and Cobalt Sulfate, Gallium Arsenide, Indium Phosphide and Vanadium Pentoxide: Volume 86* (2006).

8. Attached hereto as Exhibit 6 is a true and correct copy of Bates Number JNJ 000237076. (*filed under seal*)

9. Attached hereto as Exhibit 7 is a true and correct copy of Bates Number IMERYS 342524. (*filed under seal*)

10. Attached hereto as Exhibit 8 is a true and correct copy of the Depositions of Julie Pier taken on September 12, 2018 and September 13, 2018.

11. Attached hereto as Exhibit 9 is a true and correct copy of Bates Number JNJ 000237115. (*filed under seal*)

12. Attached hereto as Exhibit 10 is a true and correct copy of the Expert Report of Michael Crowley, Ph.D. dated November 12, 2018. *(filed under seal)*

13. Attached hereto as Exhibit 11 is a true and correct copy of the *IARC 2019 2A classification for styrene*.

14. Attached hereto as Exhibit 12 is a true and correct copy of the Expert Report of Mark Krekeler, Ph.D. dated November 16, 2018. *(filed under seal)*

15. Attached hereto as Exhibit 13 is a true and correct copy of the Expert Report of William Longo, Ph.D. and Mark W. Rigler, Ph. D. dated January 15, 2019 (summary only). *(filed under seal)*

16. Attached hereto as Exhibit 14 is a true and correct copy of Bates Number JNJ 000085374. *(filed under seal)*

17. Attached hereto as Exhibit 15 is a true and correct copy of Bates Number JNJ 000238826. *(filed under seal)*

18. Attached hereto as Exhibit 16 is a true and correct copy of Bates Number JNJS71R_000009825. *(filed under seal)*

19. Attached hereto as Exhibit 17 is a true and correct copy of Bates Number JNJ 000346572. *(filed under seal)*

20. Attached hereto as Exhibit 18 is a true and correct copy of Bates Number JNJNL61_000027053. *(filed under seal)*

21. Attached hereto as Exhibit 19 is a true and correct copy of Bates Number IMERY5 477879. (*filed under seal*)

22. Attached hereto as Exhibit 20 is a true and correct copy of Bates Number JNJS71R_000011316. (*filed under seal*)

23. Attached hereto as Exhibit 21 is a true and correct copy of the Deposition of Judith Zelikoff, Ph.D. taken on January 21, 2019.

24. Attached hereto as Exhibit 22 is a true and correct copy of the Agency for Toxic Substances and Disease Registry (ATSDR) *Toxicological Profile for Nickel* (August 2005).

25. Attached hereto as Exhibit 23 is a true and correct copy of the Agency for Toxic Substances and Disease Registry (ATSDR) *Toxicological Profile for Chromium* (September 2012).

26. Attached hereto as Exhibit 24 is a true and correct copy of the Agency for Toxic Substances and Disease Registry (ATSDR) *Toxicological Profile for Cobalt* (April 2004).

27. Attached hereto as Exhibit 25 is a true and correct copy of the National Toxicology Program (NTP), *14th Report on Carcinogens* (2016) (relevant excerpts regarding chromium, nickel, and cobalt).

28. Attached hereto as Exhibit 26 is a true and correct copy of the US EPA *Supplementary Guidance for Conducting Health Risk Assessment of Chemical Mixtures* (2000).

29. Attached hereto as Exhibit 27 is a true and correct copy of Hill, A.B., *The Environment and Disease*. Proc R Soc Med; 1965, 58(5):295-300.

30. Attached hereto as Exhibit 28 is a true and correct copy of Weed, D.L. and Hursting, S.D. *Biologic Plausibility in Causal Inference: Current Method and Practice*. Am J Epidemiology; 1998, 147(5): 415-425.

31. Attached hereto as Exhibit 29 is a true and correct copy of Golden, R., Pyatt, D., Shields, P.G. *Formaldehyde as a Potential Human Leukemogen: An Assessment of Biological Plausibility*. Crit Rev Toxicology; 2006, 36(2):135-153.

32. Attached hereto as Exhibit 30 is a true and correct copy of Dailey, J., Rosman, L., Silbergeld, E.K. *Evaluating Biological Plausibility in Supporting Evidence for Action through Systematic Reviews in Public Health*. Public Health. 2018; 165:48-57.

33. Attached hereto as Exhibit 31 is a true and correct copy of the Deposition of Arch Carson, M.D., Ph.D. taken January 19, 2019.

34. Attached hereto as Exhibit 32 is a true and correct copy of the Deposition of Shawn Levy, Ph.D. taken on January 11, 2019.

35. Attached hereto as Exhibit 33 is a true and correct copy of the Expert Report of Shawn Levy, Ph.D. dated November 16, 2018.

36. Attached hereto as Exhibit 34 is a true and correct copy of the Deposition of Laura Plunkett, Ph.D. taken on December 19, 2018.

37. Attached hereto as Exhibit 35 is a true and correct copy of the Expert Report of Arch Carson, M.D., Ph.D. dated November 16, 2018.

38. Attached hereto as Exhibit 36 is a true and correct copy of Fletcher, NM, Harper AK, Memmaj I, Fan R, Morris, RT, Saed, GM. *Molecular basis supporting the association of talcum powder use with increased risk of ovarian cancer*. Reprod. Sci. 2019 Feb 28:1933719119831773. Doi: 10.1177/1933719119831773.

39. Attached hereto as Exhibit 37 is a true and correct copy of Saed, Ghassan M., Robert T. Morris, and Nicole M. Fletcher. *Chapter 4: New Insights of into the Pathogenesis of Ovarian Cancer: Oxidative Stress*. (October 24, 2018).

40. Attached hereto as Exhibit 38 is a true and correct copy of Shukla, Arti, Maximilian B. MacPherson, Jedd Hillegass, Maria E. Ramos-Nino, Vlada Alexeeva, Pamela M. Vacek, Jeffrey P. Bond, Harvey I. Pass, Chad Steele, and Brooke T. Mossman. 2009. *Alterations in Gene Expression in Human Mesothelial Cells Correlate with Mineral Pathogenicity*. American Journal of Respiratory Cell and Molecular Biology 41 (1): 114–23.

41. Attached hereto as Exhibit 39 is a true and correct copy of the Expert Report of Kelly Tuttle, Ph.D. dated February 25, 2019. (*filed under seal*)

42. Attached hereto as Exhibit 40 is a true and correct copy of the Deposition of Nadia Moore, Ph.D. taken on April 4, 2019.

43. Attached hereto as Exhibit 41 is a true and correct copy of the Expert Report of Nadia Moore, Ph.D. dated February 25, 2019. (*filed under seal*)

44. Attached hereto as Exhibit 42 is a true and correct copy of the Expert Report of Judith Zelikoff, Ph.D. dated November 16, 2018.

45. Attached hereto as Exhibit 43 is a true and correct copy of the *IARC Monograph on Chromium, Nickel and Welding*, Volume 49 (1990) (relevant excerpts).

46. Attached hereto as Exhibit 44 is a true and correct copy of the Deposition of Rebecca Smith-Bindman taken on February 7, 2018.

47. Attached hereto as Exhibit 45 is a true and correct copy of the Expert Report of Rebecca Smith-Bindman dated November 15, 2018.

48. Attached hereto as Exhibit 46 is a true and correct copy of the Deposition of Robert Cook, Ph.D. taken January 30, 2019.

49. Attached hereto as Exhibit 47 is a true and correct copy of the Deposition of Mark Krekeler, Ph.D. taken January 25, 2019.

50. Attached hereto as Exhibit 48 is a true and correct copy of Bates Number JNJ 000131754. *(filed under seal)*

51. Attached hereto as Exhibit 49 is a true and correct copy of Bates Number JNJ 000378046. *(filed under seal)*

52. Attached hereto as Exhibit 50 is a true and correct copy of Oze, C., Bird, D.K., Fendorf, S. Genesis of hexavalent chromium from natural sources in soil and groundwater. PNAS. April 2007; 104(16):6544-6549.

53. Attached hereto as Exhibit 51 is a true and correct copy of Bates Number IMERYS 469483. *(filed under seal)*

54. Attached hereto as Exhibit 52 is a true and correct copy of Bates Number IMERYS 441340. *(filed under seal)*

55. Attached hereto as Exhibit 53 is a true and correct copy of Bates Number JNJ 000246437. *(filed under seal)*

56. Attached hereto as Exhibit 54 is a true and correct copy of the Expert Report of Robert Cook, Ph.D. dated November 16, 2018. *(filed under seal)*

57. Attached hereto as Exhibit 55 is a true and correct copy of the Deposition of Donald Hicks taken on June 28, 2018.

58. Attached hereto as Exhibit 56 is a true and correct copy of Bates Number JNJ 000300223. *(filed under seal)*

59. Attached hereto as Exhibit 57 is a true and correct copy of the Expert Report of Mary Poulton, Ph.D. dated February 25, 2019.

60. Attached hereto as Exhibit 58 is a true and correct copy of Cralley, L. J., Key, M. M., Groth, D.H., Lainhart, W. S., and Ligo, R. M. 1968. *Fibrous and mineral content of cosmetic talcum products*. American Industrial Hygiene Association Journal. 29(4):350-354.

61. Attached hereto as Exhibit 59 is a true and correct copy of the Deposition of Michael Crowley, Ph.D. dated January 4, 2019.

62. Attached hereto as Exhibit 60 is a true and correct copy of the *Final Report on the Safety Assessment of Sodium p-Chloro-m-Cresol, p-Chloro-m-Cresol, Chlorothymol, Mixed Cresols, m-Cresol, o-Cresol, p-Cresol, Isopropyl Cresols, Thymol, o-Cymen-5-ol, and Carvacrol*; International Journal of Toxicology, 25(Suppl. 1):29–127 (2006).

63. Attached hereto as Exhibit 61 is a true and correct copy of the *IARC Monograph on Silica and Some Silicates* (1987) (relevant excerpts).

64. Attached hereto as Exhibit 62 is a true and correct copy of the *IARC Overall Evaluaitons of Carcinogenicity: An Updating of IARC Monographs Volumes 1 to 42, Supplement* (1987).

65. Attached hereto as Exhibit 63 is a true and correct copy of the *IARC Monograph on Carbon Black, Titanium Dioxide, and Talc*, Volume 93 (2010).

66. Attached hereto as Exhibit 64 is a true and correct copy of Bates
Number JNJS71R_000001978. (*filed under seal*)

67. Attached hereto as Exhibit 65 is a true and correct copy of Van Gosen,
B.S., Lowers, H.A., Sutley, S.J., et al. *Using the geologic setting of talc deposits as
an indicator of amphibole asbestos content*. Env Geol (2004) 45:920.

68. I certify that the foregoing statements made by me are true. I am
aware that if any of the foregoing statements made by me are willfully false, I may
be subject to punishment.

/s/ P. Leigh O'Dell
P. Leigh O'Dell

Dated: May 29, 2019